

REMARKS

This Amendment serves as a submission accompanying a Request for Continued Examination (RCE) being filed herewith.

Claim 37 has been added. No new matter has been added. Claims 19 to 37s are now pending. Applicant(s) respectfully request reconsideration of the present application in view of this response.

The submissions of the Substitute Specification and amended Fig. 1 are being resubmitted herewith because no indication as to their admittance into the Record was apparently made. An amended Fig. 1 has been submitted to include labels for the various features shown. No new matter has been added.

A substitute specification and marked up specification are attached hereto. No new matter has been added.

Objection to the Specification

Applicant(s) respectfully submit a Substitute Specification and Marked Up Copy of the Substitute Specification (compared to the originally filed Specification). No new matter has been added. Various headings including, Field of Invention, have been added. Further, the text of the Specification has been cleaned to provide an easier Specification for reading. A Substitute Specification and Marked Up Copy of same were submitted with Applicant(s)' earlier submission on March 17, 2008 and on December 8, 2008. However, it does not appear that that submission was reviewed and accepted at either time. Accordingly, Applicant(s) include those modifications as well in its current submission. Again, no new matter has been added. Withdrawal of the objection to the Specification is respectfully submitted.

Objection to the Drawings

Applicant(s) respectfully submit a REPLACEMENT SHEET of Figure 1 which describes an example system and method according to the present invention. Labels have been provided on the Figure as requested by the Examiner. No new matter has been added. Withdrawal of the objection in the final Office Action to the Drawings is respectfully submitted.

Rejection of Claims 19 to 29, and 33 to 35

In the final Office Action, claims 19 to 29, and 33 to 35 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,847,632 to Lee et al. ("Lee reference") in view of U.S. Patent Publication No. 2003/119527 to Labun et al. ("Labun reference").

The Lee reference refers to establishing a normal cellular/PCS data call from a user's digital cellular handset to an Internet Service Provider (ISP) connected to the Internet.

According to the reference, from the ISP, the data from the digital cellular handset is then transferred over the Internet in packet form to a far end device. The reference further states that once the data link is established end-to-end, the digital cellular handset and the far end device will run known Internet voice protocols to translate the data packets so that interactive voice communication can be realized. For example, according to the reference, the data packets transmitted between the user's digital cellular handset and the far end device over the Internet then will be converted into voice signals as per ITU H.323.

The Labun reference refers to splitting control and media content signals of a cellular network connection of a mobile station. The reference further refers to a mobile station engaging in a WAP browsing session with a cellular network connection over an air interface such that as a user moves into coverage area of an access point, another browsing session is established between the mobile station and a non-cellular network connection. That is, according to the reference, the user's WAP browsing session with a cellular network connection is upgraded to a Web browsing session with a non-cellular network connection.

In contrast, claim 19 of the present application is directed to a method and system for providing a communication path to a mobile telephony network so that a telecommunication connection is set up between a telecommunication terminal designed to be used in a mobile telephony network and a distant terminal, and **requires**: using at least one of a radio communication (radio path) and an Internet connection as a connecting path between the telecommunication terminal and access and switching units of the mobile telephony network, ***by one of optionally, automatically, and initiated by a user of the telecommunication terminal, the access and switching units and the telecommunication terminal treating the Internet connecting path like another radio cell of the mobile telephony network with respect to sequences that are connected to an activation of the telecommunication terminal*** and its respective one of check-in and booking into the mobile telephony network and also as they relate to the switchover of the connecting path between radio path and Internet path or vice versa implemented in a changeover or a handover. While the Lee and Labun references appear to concern telecommunication connections, they (in combination or separately) do not appear to describe or teach all of these limitations of the present claim 19. Accordingly, claim 19 is believed allowable over the references.

Claims 28 and 33 includes features similar to those of claim 19 and are allowable over the cited references for essentially the same reasons. Claims 20 to 27, 29, 34, and 35, depend from one of claims 19, 28 and 33 and are allowable for at least the same reasons.

Rejection of Claims 30, 32, 36

Claims 30, 32, and 36 were rejected under 35 USC § 103(a) as being unpatentable over the Lee reference in view of U.S. Patent No. 6,009,151 to Staples (“Staples reference”), U.S. Patent No. 5,628,055 to Stein (“Stein reference”), and the Labun reference.

As discussed above, the Lee reference refers to establishing a normal cellular/PCS data call from a user's digital cellular handset to an Internet Service Provider (ISP) connected to the Internet. The Labun reference refers to splitting control and media content signals of a cellular network connection of a mobile station. The Staples reference refers to a PC Card adapted for insertion in a PC Card slot in a computer system. The Stein reference refers to a modular telecommunications unit having a housing for mounting a radio transceiver therein, the housing including a plurality of contacts arranged along a first end, the contacts being adapted for engagement with contacts in the electronic equipment, and at least one radio connector disposed along the second, opposite end of the housing and connected to the radio transceiver within the housing whereby the radio transceiver can be coupled to an antenna to enable communication therefrom.

In contrast, claim 19 requires the features of: *by one of optionally, automatically, and initiated by a user of the telecommunication terminal, the access and switching units and the telecommunication terminal treating the Internet connecting path like another radio cell of the mobile telephony network with respect to sequences that are connected to an activation of the telecommunication terminal and its respective one of check-in and booking into the mobile telephony network and also as they relate to the switchover of the connecting path between radio path and Internet path or vice versa implemented in a changeover or a handover.* As discussed above, it is not believed that the Lee and Labun references disclose each of these features as claimed. The Staples and Stein references do not cure the deficiencies of the Lee and Labun reference since they refer to use of a PC card and a specific housing for a transceiver. For example, while claim 30 refers to use of a chip reader, the use of the PC card in the further cited reference does not do so within the claimed system of claim 19 or 30. Accordingly, withdrawal of the rejection of claims 30, 32, and 36 is respectfully requested.

Rejection of Claim 31

In the final Office Action, claim 31 was rejected under 35 USC § 103(a) as being unpatentable over the Lee reference in view of “well-known” prior art. Claim 31 depends from claim 28. Claim 28 recites features analogous to those of claim 19. As stated above, the Lee reference, alone or even in combination with the earlier cited Labun reference, does not render unpatentable claim 19, or claim 28. Accordingly, it is respectfully submitted that claim 31 is allowable over the cited Lee reference in view of “well-known” prior art. Withdrawal of the rejection of claim 31 is respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that claims 19 to 37 are allowable and that the Specification and Drawings are in condition for allowance. It is therefore respectfully requested that any outstanding objections and/or rejections be withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

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